



November 30, 2023

Via ECF and U.S. Mail

Hon. Charles R. Breyer
United States District Court Judge
Phillip Burton Federal Building
450 Golden Gate Avenue
San Francisco, California 94102

Re: Response to Rachel Abrams' November 27, 2023 Letter

Dear Judge Breyer,

I write briefly to correct three misstatements in Ms. Abrams' letter to you.

First, contrary to the representation in her letter to Your Honor, Ms. Abrams ***supported*** the decision to appeal the FNC ruling, a fact made clear in an email she sent to the JCCP leadership: "Personally, I think we should appeal. It's the right thing to do, if not for these clients and this litigation, for future CA JCCPs." Email From Rachel Abrams to JCCP co-leads on March 3, 2023, attached hereto as **Exhibit A**. [REDACTED]

[REDACTED] So, we know that Ms. Abrams not only supported the appeal but that her departure conversations predated the decision to appeal, the FNC order, and even the January 4, 2023 FNC hearing.

Second, Ms. Abrams claims that our objection is rooted in upset feelings because of our partnership dispute. There is in fact a partnership dispute between us, but that is not why I was compelled to object. I would not file a letter highlighting professional misconduct because of hurt feelings. My objection is based on Ms. Abrams' admitted misconduct that adversely impacted these Uber clients in this matter. Nowhere in Ms. Abrams' response does she address any of the concerns that were raised about her violation of State Bar Formal Opn. No. 2020-201, p. 12, and the impact of her misconduct on the clients in this MDL. [REDACTED]

¹ Upon the Court's Request, we will provide a copy of Rachel Abrams Declaration in Opposition to Levin Simes' Request for Preliminary Injunctive Relief (October 15, 2023).

² See above.

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[REDACTED]

[REDACTED]

Third, with respect to Ms. Abrams' representations concerning her role in the rideshare litigation thus far, we would encourage Your Honor to confer with Judge Schulman, Judge Cheng, Judge Wiss, the co-lead firms, or even with opposing counsel, to confirm the accuracy of our description of her involvement. Similarly, her representations *vis a vie* settlement negotiations are also provably inaccurate. As opposing counsel would confirm, my partner Ms. Simes was the lead negotiator on those settlements.

Finally, it is not clear to us that her fellow supporters among the PLG group fully understand that her role in the litigation was not as represented. Additionally, it appears that they are not fully conversant with the evidence of Ms. Abrams's misconduct. However, the purpose of our opposition is to fully inform Your Honor.

Very truly yours,

/s/ William A. Levin